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June 29, 2023

BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Court for the
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Reginald Fowler
Docket No. 19 Cr. 254 (ALC)

Dear Judge Carter:

I am counsel to Defendant Reginald Fowler.

I write to ask Your Honor to modify Mr. Fowler's conditions of pre-trial release to permit him to self-surrender at the Bureau of Prison's (BOP) facility to which he will be designated instead of surrendering tomorrow to the United States Marshal's Service. We make this request due to Mr. Fowler's current medical condition.

On June 6, 2023, Your Honor sentenced Mr. Fowler to 75 months of imprisonment on counts 1, 2, and 5 of the indictment, and to 60 months imprisonment on counts 3 and 4, with each count to run concurrently. Your Honor also ordered that Mr. Fowler surrender himself to the United States Marshal's Service tomorrow, June 30, 2023, at 10:00 a.m. In light of a medical condition that Mr. Fowler is now suffering, we respectfully request that he be permitted to self-surrender directly to the BOP once he is designated.

For the past year, Mr. Fowler has been suffering from severe Uncontrolled Diabetes Mellitus Type -2, and other illnesses. Three days following Mr. Fowler's sentencing, he learned from a doctor that he was experiencing dangerously high blood sugar levels. As a result, his treating physician has indicated that his levels must be closely monitored by a doctor. (I am attaching hereto Mr. Fowler's medical records and a letter from his treating physician confirming his current condition). Although Mr. Fowler's blood sugar levels have been improving since spiking earlier this month, his continued need for regular monitoring by a physician militates in favor of granting him a brief reprieve before

surrendering to his designated BOP facility. If Mr. Fowler were forced to surrender tomorrow to the United States Marshals Service, he would be forced to suffer detention at a local detention facility in downtown Phoenix, Arizona, where he is likely to not receive adequate medical care. For example, he uses on a nightly basis a particular medical device (a continuous positive airway pressure (CPAP) machine) that would not be available to him at a local detention facility.

We are hopeful that the BOP will finalize Mr. Fowler's designation within the next couple of weeks.

Since Your Honor released Mr. Fowler following his sentencing, he has not committed any new crimes and has adhered to his conditions of release.¹

Therefore, for the reasons stated above, we respectfully request that the Court grant the requested modifications of Mr. Fowler's release.

The government objects to this request. As always, Your Honor's consideration is very much appreciated.

Respectfully submitted,

Respectfully Submitted,


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Attorneys for Reginald Fowler

The June 30, 2023 surrender date is adjourned to
August 18, 2023.
So Ordered.


6/30/23

¹ A condition of Mr. Fowler's sentencing was to arrange to have a monitoring device affixed to his ankle. Notwithstanding his efforts to cause that to happen, he was instructed on June 8, 2023, by his assigned United States Pretrial Services Officer Francisco Gonzalez-Hernandez that he did not need to use the monitoring device.